

§ 79.42

| | | |
|--------------------|----------|----------------|
| Arkansas | 05/02/62 | Christmas Isl. |
| Questa | 05/04/62 | Christmas Isl. |
| Frigate Bird | 05/06/62 | Pacific. |
| Yukon | 05/08/62 | Christmas Isl. |
| Mesilla | 05/09/62 | Christmas Isl. |
| Muskegon | 05/11/62 | Christmas Isl. |
| Swordfish | 05/11/62 | Pacific. |
| Encino | 05/12/62 | Christmas Isl. |
| Swanee | 05/14/62 | Christmas Isl. |
| Chetco | 05/19/62 | Christmas Isl. |
| Tanana | 05/25/62 | Christmas Isl. |
| Nambe | 05/27/62 | Christmas Isl. |
| Alma | 06/08/62 | Christmas Isl. |
| Truckee | 06/09/62 | Christmas Isl. |
| Yeso | 06/10/62 | Christmas Isl. |
| Harlem | 06/12/62 | Christmas Isl. |
| Rinconada | 06/15/62 | Christmas Isl. |
| Dulce | 06/17/62 | Christmas Isl. |
| Petit | 06/19/62 | Christmas Isl. |
| Otowi | 06/22/62 | Christmas Isl. |
| Bighorn | 06/27/62 | Christmas Isl. |
| Bluestone | 06/30/62 | Christmas Isl. |
| Starfish | 07/08/62 | Johnston Isl. |
| Sunset | 07/10/62 | Christmas Isl. |
| Pamlico | 07/11/62 | Christmas Isl. |
| Androscoffin | 10/02/62 | Johnston Isl. |
| Bumping | 10/06/62 | Johnston Isl. |
| Chama | 10/18/62 | Johnston Isl. |
| Checkmate | 10/19/62 | Johnston Isl. |
| Bluegill | 10/25/62 | Johnston Isl. |
| Calamity | 10/27/62 | Johnston Isl. |
| Housatonic | 10/30/62 | Johnston Isl. |
| Kingfish | 11/01/62 | Johnston Isl. |
| Tightrope | 11/03/62 | Johnston Isl. |

(19) For Operation Dominic II, the period July 7, 1962 through August 15, 1962;

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|------------------------|----------|------|
| Little Feller II | 07/07/62 | NTS. |
| Johnnie Boy | 07/11/62 | NTS. |
| Small Boy | 07/14/62 | NTS. |
| Little Feller I | 07/17/62 | NTS. |

(20) For Operation Plowshare, the period of July 6, 1962, through July 7, 1962, covering Project Sedan.

§ 79.42 Eligibility criteria.

To establish eligibility for compensation under this subpart, a claimant or eligible surviving beneficiary must show, by a preponderance of the evidence, that each of the following criteria are satisfied:

(a) The claimant was present onsite at any time during a period of atmospheric nuclear testing;

(b) The claimant was a participant during that period in the atmospheric detonation of a nuclear device; and

(c) The claimant contracted one (or more) of the specified compensable diseases listed in § 79.22(b).

28 CFR Ch. I (7-1-98 Edition)

§ 79.43 Proof of participation onsite during a period of atmospheric nuclear testing.

(a) Claimants associated with the Department of Defense (DoD) Components or DoD contractors.

(1) A claimant or eligible surviving beneficiary who alleges that the claimant was present onsite during a period of atmospheric nuclear testing as a member of the armed forces or an employee or contractor employee of the DoD, or any of its components or agencies, must submit the following information on the claim form:

(i) Claimant's name;

(ii) Claimant's military service number;

(iii) Claimant's social security number;

(iv) The site at which the claimant participated in an atmospheric nuclear test;

(v) The name or number of the claimant's military organization or unit assignment at the time of his/her participation onsite;

(vi) The dates of the claimant's assignment onsite;

(vii) As full and complete a description as possible of the claimant's official duties, responsibilities and activities while an onsite participant.

(2) A claimant or eligible surviving beneficiary under this section need not submit any additional documentation of onsite participation during an atmospheric nuclear test at the time the claim is filed; however, additional documentation may be required as set forth in paragraph (a)(3).

(3) Upon receipt of a claim under this subpart that contains the information set forth in paragraph (a)(1), the Radiation Exposure Compensation Unit will forward the information to the Defense Nuclear Agency (DNA) of the DoD and request that the DNA conduct a search of its records for the purpose of gathering facts relating to the claimant's presence onsite and participation in an atmospheric nuclear test. If the facts gathered by the DNA are insufficient to establish the eligibility criteria in section 79.42 of these regulations, the claimant or eligible surviving beneficiary will be notified and afforded the